

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

MICHAEL GORDON,  
Defendant.

No.: 14-CR-10304-DPW

**NOTICE OF SUPPLEMENTAL DECLARATION**

The Bureau of Prisons (“BOP”) has issued supplemental guidance with regard to BOP’s home confinement prioritization. The supplemental declaration of Amber Bourke, Case Manager, Federal Medical Center, Devens, Massachusetts (“Supp. Bourke Decl.”), attached hereto, provides the most current information regarding BOP’s priority home confinement program, and clarifies that the priority factors that BOP has generally considered for home confinement of inmates are subject to deviation in BOP’s discretion in certain circumstances, and are subject to revision as the situation progresses. The BOP is, at this time, prioritizing for consideration those inmates who either, (1) have served 50% or more of their sentences; or, (2) have 18 months or less remaining in their sentences and have served 25% or more of their sentences. *See* Supp. Bourke Decl. ¶ 19. As BOP processes the inmates eligible for home confinement under these criteria and learns more about the COVID-19 pandemic and its effect on BOP facilities, it is assessing whether and how to otherwise prioritize consideration. *Id.*

The revised guidance does not alter BOP’s decision that Michael Gordon is ineligible for home confinement.

Respectfully submitted,

Date: April 24, 2020

ANDREW E. LELLING  
United States Attorney

By: /s/ David G. Lazarus

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